IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Guenter HAUKE et al.

Serial No.: 10/591,534

Group Art Unit: Unassigned

Filed: September 1, 2006

Examiner: Unassigned

For: MEANS FOR COVERING MICROSCOPIC SPECIMENS

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §§ 1.56, 1.97 and 1.98

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

This information disclosure statement is made in accordance with 37 C.F.R. §§ 1.56, 1.97 and 1.98 as follows:

Timing and Fees

Ø	Under 37 C.F.R. § 1.97(b), no fee or statement is required for filing this information disclosure statement is filed:					
		within three months of the filing date of a national application other than a CPA under § 1.53(d);				
		within three months of the actual filing date of the national phase of a PCT application; OR				
	\boxtimes	before the mailing of a first substantive office action (including after filing of an RCE).				
		37 C.F.R. § 1.97(c), this information disclosure statement is filed after the periods ied in 37 C.F.R. § 1.97(b), but before the mailing date of:				
		a final rejection under 37 C.F.R. 1.113; termination of prosecution, e.g. Ex Parte Quayle, M.P.E.P § 609(B)(2); OR a notice of allowance under 37 C.F.R. § 1.311; and				

		is acco	ompanied by:
			the statement as specified in 37 C.F.R. § 1.97(e) set out below; OR
			a check covering the fee of \$180.00 under 37 C.F.R. § 1.17(p).
			R. \S 1.97(d), this information disclosure statement is filed after the mailing lowing actions which have not been withdrawn:
		a final	action under 37 C.F.R. § 1.113;
		termin	ation of prosecution, e.g. Ex Parte Quayle, M.P.E.P § 609(B)(2);
		OR a r	notice of allowance under 37 C.F.R. § 1.311;
	AND i	is filed	on or before payment of the issue fee; AND is accompanied by:
			tement as specified in 37 C.F.R. \S 1.97(e) as set forth below, and the fee of 00 under 37 C.F.R. \S 1.17(p).
Staten	nents Ur	nder 37	C.F.R. 1.97(e)
			Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application having a mailing date not more than three months prior to the filing date of this information disclosure statement; or
			No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the undersigned attorney after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing date of the information disclosure statement.
Cited	Materia	<u>ls</u>	
		ancest	s of materials listed but not attached were cited in benefit (35 U.S.C. § 120) or application Serial No, on Form 892 by the Examiner and/or Form by the applicant; see 37 C.F.R. § 1.98(d).
	\boxtimes		s of materials listed but not attached were cited in an international search dated May 3, 2005.
	\boxtimes	Not re	quired by 37 CFR § 1.98.
		Copie	s of the materials listed are attached (except for the foregoing).

Non-Englis	h Language References				
	An English-language search report or equivalent paper from a foreign paten office is provided indicating the relevance of the cited reference(s).				
\boxtimes	A foreign-language search report from a foreign patent office is provided, and pertinent parts are translated substantively below:				
	 X = document of particular relevance when it is taken alone Y = document of particular relevance when it is combined with another such document 				
	A = document defining the general state of the art				
	O = non-written disclosure				
	P = intercalated document				
	T = document cited to understand the theory or principle underlying the invention				
	E = patent document which has the benefit of a date earlier than the filing date and which was published only on or after this filing date				
	D = cited in the application				
	L = cited for another reason				
	& = publication of member of same patent family				
	Translation of other relevant information on foreign search report				
	In the search report, "Seite" means page, "Seiten" means pages, "Verbindungen der Formel" means Figure of formula, "Beispele" means examples, and "das ganze Dokument" means the entire document, "Spalte" means column, "Zeile" means line, "Abbildungen" means claims, "Anspruch" means example, "Zusammenfassung" means summary, and "Tabelle" means table, and "Tabellen" means tables "in der Anmeldung erwaehnt" means cited in the application, "Schema" means scheme, "und" means and, "Absatz" means break, "Abildung" means figure.				
Other Infor	<u>mation</u>				
Payment of	Fees Due (If Any):				
A c	heck for \$ covering the fee identified above is attached.				
Plea	use charge to Deposit Account No. 13-3402 \$ for the fee identified above.				

The Commissioner is hereby authorized to charge or credit any overpayment to Deposit Account #13-3402, two copies of this paper are attached for this purpose.

Respectfully submitted,

/Anthony J. Zelano/ Anthony J. Zelano, Reg. No. 27,969 Attorney/Agent for Applicants

MILLEN, WHITE, ZELANO & BRANIGAN, P.C. Arlington Courthouse Plaza I 2200 Clarendon Blvd. Suite 1400 Arlington, Virginia 22201 Telephone: (703) 243-6333 Facsimile: (703) 243-6410

Attorney Docket No.: MERCK-3235

Date: February 2, 2007

AJZ:hlw

K:\Merck\3000 - 3999\3235\Information Disclosure Statement.doc

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
o respond to a collection of information unless it contains a valid OMB control number.

Substitute	for form 1449A/PT	0		Complete if Known		
				Application Number	10/591,534	
INFO	RMATION	DIS	CLOSURE	Filing Date	September 1, 2006	
STAT	EMENT B	Y AF	PLICANT	First Named Inventor	Guenter HAUKE et al.	
				Group Art Unit	Unassigned	
1	(use as many sh	eets as	necessary)	Examiner Name	Unassigned	
Sheet	1	of	2	Attorney Docket Number	MERCK-3235	

	U.S. PATENT DOCUMENTS							
Examiner Initials *	Cite No.1	U.S. Patent Docu	ment Kind Code ² (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY			
	A1	6,589,650		Michael GOVEK et al.	07-08-2003			
	A2	4,853,262		HORIE et al.	08-01-1989			
	A3	3,498,860		John E.P. PICKETT	03-03-1970			
	A4	4,302,480		FISCHER et al.	11-24-1981			
			•					
				•				

	FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No.1	Foreign Patent Document			Date of Publication of	Pages, Columns, Lines, Where Relevant		
		Office ³	Number ⁴	Kind Code ⁶ (if known)	Name of Patentee or Applicant of Cited Document	Cited Document MM-DD-YYYY	Passages or Relevant Figures Appear	T
		 		+				
		 						
		-						

Examiner Signature	·	Date Considered	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the Individual case. Any comments on the amount of time you are required to complete this form should be sent to Chief Information Office, V.S. Patient and Trademans Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDERSS. SEND TO. Commissioner of Patients, P.O. Box 1450, Alexandria, VA 22313-1450.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the potent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached. Number refers to English language corresponding family member.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Substitute for form 1449A/PTO Complete if Known Application Number 10/591,534 INFORMATION DISCLOSURE Filing Date September 1, 2006 STATEMENT BY APPLICANT Guenter HAUKE et al. First Named Inventor Group Art Unit Unassigned (use as many sheets as necessary) Examiner Name Unassigned MERCK-3235 Sheet of Attorney Docket Number

xaminer	07. 11. 1	include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	т:
initials *	Cite No.1		1
	C1	Patent Abstracts of Japan, Bd. 011, Nr. 107 (P-563), 4 April 1987, JP 61254916, Mitsubishi Rayon Co Ltd., 12 November 1986.	
	Ç2	Patent Abstracts of Japan, Bd. 2000, Nr. 22, 9, March 9, 2001, JP 2001 125006, Muto Kagaku KK, May 11, 2001.	
		•	
		·	

	1.00		
Examiner	*	Date	
Signature		Considered	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.